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Attorneys for Plaintiffs and Counterdefendants

THE REGENTS OF THE UNIVERSITY OF  
 CALIFORNIA, ABBOTT MOLECULAR INC., and  
 ABBOTT LABORATORIES INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

THE REGENTS OF THE UNIVERSITY  
 OF CALIFORNIA, ABBOTT  
 MOLECULAR INC., and ABBOTT  
 LABORATORIES INC.,

Plaintiff,

v.

DAKO NORTH AMERICA, INC., and  
 DAKO DENMARK A/S,

Defendants.

Case No. C-05-03955 MHP

**STIPULATION EXTENDING TIME TO  
 FILE OPPOSITION TO DEFENDANTS'  
 MOTION IN LIMINE TO EXCLUDE THE  
 TESTIMONY OF PLAINTIFFS' PATENT  
 LAW EXPERT, MARK E. NUSBAUM**

The Honorable Marilyn Hall Patel

AND RELATED COUNTERCLAIMS

STIPULATION EXTENDING TIME FOR  
 OPPOSITION TO DEFENDANTS' MIL

CASE No.C-05-03955 MHP

Pursuant to Civil Local Rule 7-12, plaintiffs The Regents of the University of California, Abbott Molecular Inc. and Abbott Laboratories Inc. (collectively "Plaintiffs") and defendants Dako North America, Inc. and Dako Denmark A/S (collectively "Defendants"), by and through their respective counsel, hereby agree and stipulate as follows:

1. Plaintiffs shall have until and including March 2, 2009 to serve their opposition to Defendants' Motion in Limine to Exclude the Testimony of Plaintiffs' Patent Law Expert, Mark E. Nusbaum; and

2. Defendants shall have the option of waiving any reply brief and keeping the scheduled hearing date of March 16, 2009 at 2:00 p.m., or moving the hearing date to the next available hearing date and filing a reply in accordance with the time set by the local rules pursuant to such hearing date. In the event of the latter, the parties will notify the Court by further stipulation to have Defendants' motion heard on the next date the Court is available for hearing.

Dated: February 20, 2009

FENWICK & WEST LLP

By: Ryan Tyz  
Ryan Tyz

Attorneys for Plaintiffs  
THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA, ABBOTT MOLECULAR  
INC., and ABBOTT LABORATORIES INC.

Dated: February 20, 2009

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: Tina Hulse  
Tina Hulse

Attorneys for Defendant  
DAKOCYTOMATION CALIFORNIA, INC.

**PROPOSED ORDER**

**PURSUANT TO STIPULATION, IT IS SO ORDERED** that:

1. Plaintiffs shall have until and including March 2, 2009 to serve their opposition to Defendants' Motion in Limine to Exclude the Testimony of Plaintiffs' Patent Law Expert, Mark E. Nusbaum; and

2. Defendants shall have the option of waiving any reply brief and keeping the scheduled hearing date of March 16, 2009 at 2:00 p.m., or moving the hearing date to the next available hearing date and filing a reply in accordance with the time set by the local rules pursuant to such hearing date. In the event of the latter, the parties will notify the Court by further stipulation to have Defendants motion heard on the next date the Court is available for hearing.

Dated: 2/27 , 2009

By: \_\_\_\_\_

The Honorable Marilyn Hall Patel

